

## JFB OPEN ENROLLMENT

The District has an open-enrollment program as set forth in A.R.S. [15-816 et seq.](#), ~~in order to provide educational options for both resident and non-resident students. No~~ The open enrollment program described in this policy shall be placed on the District website and made available to the public on request.

No tuition shall be charged for open enrollment, except as authorized by applicable provisions of A.R.S. [15-764](#), [15-797](#), [15-823](#), [15-824](#), and [15-825](#).

~~The primary purposes of admitting non-resident students to the District is to fulfill the public policy of the State of Arizona and to achieve and maintain District-wide student enrollment that supports the efficient operation of all District schools. The open enrollment program described in this policy shall be placed on the District's website and made available to the public on request.~~

### Definitions

~~For purposes of this policy and any corresponding regulations, the following definitions shall apply:~~

~~*Open enrollment* means the enrollment of students in a district and/or school other than the district/school designated for the attendance areas of their physical residence.~~

~~*Resident student* means a student who resides in the attendance area of an Amphitheater District school and who is attending the school for his/her designated attendance area at the time of their application for open enrollment at a different school. It also includes students who are attending a District school under a certificate of convenience at the time of their application for open enrollment at a difference school.~~

~~*Resident transfer student* means a student who resides within the Amphitheater District and who is currently open-enrolled in an Amphitheater District school which is outside the attendance area of the student's residence. It also means eligible children of District employees.~~

~~*Non-resident transfer student* means a student who does not reside within the Amphitheater District and who has previously been approved for open enrollment at an Amphitheater district school and is currently attending that school.~~

~~*Non-resident student* means a student who resides in this state, but outside the Amphitheater District, and who is seeking open enrollment in the Amphitheater District~~

School District policies shall include the information required by A.R.S. 15-816.01(I) that is needed to request enrollment and that is consistent with guidance and state and federal law regarding pupil privacy and civil rights, and information regarding the provision of transportation or resources for transportation.

The policies must be easily accessible from the home page on each school's website and be available in English and in Spanish or in any other language used by a majority of the populations served by the school or School District.

A school district shall update on each school's website the school's capacity and whether the school is currently accepting open enrollment students, by grade level, at least once every twelve (12) weeks unless there are no changes to report for the individual school.

If a school has any other separate capacity by specialized program, the information required pursuant to this subsection shall also be posted by specialized program.

Schools shall accept pupils throughout the school year as capacity allows. Pupils who are denied access due to capacity shall be informed that they are on a wait list and of the details regarding the process prescribed in A.R.S. 15-816.01(E).

Pupils shall be selected as seats become available.

A school district shall enroll at any time any resident pupil who applies for enrollment to the school district.

A school district shall give enrollment preference to and reserve capacity for all of the following:

- A. Resident pupils.
- B. Pupils returning to the school from the prior year.
- C. Siblings of pupils already enrolled.

A school district may give enrollment preference to children who:

- A. Are in foster care.
- B. Meet the definition of unaccompanied youth prescribed in the McKinney-Vento Homeless Assistance Act (P.L. 100-77; 101 Stat. 482; 42 United States Code Section 11434a).
- C. Attend a school that is closing.

If a school remains open as part of a boundary change and capacity is available, students assigned to a new attendance area may stay enrolled in their current school.

A school district may give enrollment preference to and reserve capacity for all of the following:

- A. Pupils who are children of persons who are employed by or at a school in the School District.
- B. Resident transfer pupils and their siblings.
- C. Pupils who meet additional criteria established and published by the School District Governing Board.

If remaining capacity at a school, as determined by the School District Governing Board, is insufficient to enroll all pupils who submit a timely request, the school or School District shall select pupils through an equitable selection process such as a lottery (but not limited to a lottery), except that preference shall be given to the siblings of a pupil selected through an equitable selection process such as a lottery.

Except as provided in A.R.S. 15-816.01, a school that is operated by a school district may not limit admission based on any of the following:

- A. Ethnicity or race.
- B. National origin.
- C. Sex.
- D. Income level.
- E. Disability.
- F. Proficiency in the English language.
- G. Athletic ability.

## **Definitions**

*Resident transfer pupil* means a resident pupil who is enrolled in or seeking enrollment in a school that is within the school district - but outside the attendance area - of the pupil's residence.

*Nonresident pupil* means a pupil who resides in this state and who is seeking enrollment in a school district other than the school district in which the pupil resides.

## Enrollment Options

District resident pupils may enroll in another school district or in another school within this District. Resident transfer ~~students and non-resident students~~ *pupils and nonresident pupils* may enroll in schools within this District, subject to the procedures that follow.

## Information and Application

The Superintendent shall prepare a written information packet concerning the District's ~~open enrollment~~ application process, standards for acceptance or rejection, and policies, regulations, and procedures for open enrollment. The packet will be made available to everyone who requests it. ~~Packets will be available at the District's central office and at each school.~~ The information packet shall include the enrollment application form and shall advise applicants that they must submit ~~open enrollment applications to be considered for open enrollment during the current school year or~~ *enrollment applications on or before* consistent with the requirements and deadlines established by the Superintendent of each year to be considered for ~~the enrollment~~ *priorities and procedures outlined in this Policy for enrollment during* the following school year. ~~Open enrollment may occur when capacity and class size permit at any point during the applicable school year.~~

## Capacity

The Superintendent ~~, in consultation with the school principal, shall~~ *shall* annually estimate how much excess capacity may exist to accept ~~open enrollment students~~ *transfer pupils*. The estimate of excess capacity shall be made for each school and grade level and shall take into consideration:

- A. District ~~-approved staffing levels and ratios~~ *resident pupils in assigned school attendance areas, including those issued certificates of educational convenience and those required to be admitted by statute.*
- B. The ~~number of resident students within school attendance areas~~ *enrollment of eligible children of persons who are employed by the District.*
- C. ~~The number of resident transfer students~~ *Resident transfer pupils* who were enrolled ~~at each~~ *in the* school the previous year.
- D. ~~The number of non-resident students~~ *Nonresident pupils* who were enrolled ~~at each~~ *in the* school the previous year.

The Governing Board shall make the final determination of excess capacity and may require resident transfer pupils and/or nonresident pupils to be subject to the enrollment priorities and procedures found below. The excess-capacity estimates shall be made available to the public in May of each year.

## Enrollment Priorities

If the ~~Superintendent~~ Governing Board has determined that there is excess capacity to enroll additional ~~students~~ pupils, such ~~students~~ pupils shall be selected on the basis of designated priority categories from the pool of ~~students who~~ pupils:

- A. ~~Have~~ Who have properly completed and submitted applications; and
- B. ~~Meet~~ Who meet admission standards.

Enrollment priorities and procedures for selection shall be in the order and in accordance with the following:

A. ~~First Priority.~~ Open enrollment Enrollment preference shall be given to ~~currently enrolled District students, including resident students, resident transfer students, and non-resident transfer students of the District.~~ If transfer pupils who were enrolled in the school the previous year and any sibling who would be enrolled concurrently with such pupils. If capacity is not sufficient to enroll all of these ~~students~~ pupils, they shall be selected ~~on a proportional and pro-rata basis from among these constituent groups~~ through a random selection process adopted by regulation of the Superintendent.

B. ~~Second Priority.~~ Enrollment preference shall be given to ~~non-resident students.~~ If nonresident pupils who were enrolled in the school the previous year and any sibling who would be enrolled concurrently with such pupils. If capacity is not sufficient to enroll all of these ~~students~~ pupils, they shall be selected through a random selection process adopted by regulation of the Superintendent.

C. Enrollment preference

~~shall be~~

shall be given to

~~children who are in foster care or to students who are siblings of current enrolled students.~~

resident transfer pupils who were not enrolled in the school the previous year. If capacity is not sufficient to enroll all of these pupils, they shall be selected through a random selection process adopted by regulation of the Superintendent.

D. Enrollment preference shall be given to nonresident pupils who were not enrolled in the school the previous year. If capacity is not sufficient to enroll all of these pupils, they shall be selected through a random selection process adopted by regulation of the Superintendent.

## **Admission Standards**

A school district may refuse to admit any ~~student~~ **pupil** who has been expelled ~~or suspended~~ from another educational institution or who is in the process of being expelled from another educational institution.

~~*Eligibility Guidelines:* Students who apply for open enrollment status in the District must:~~

~~A. Submit a completed open enrollment application in accordance with the corresponding District regulations for open enrollment established by the Superintendent under the title JFB-RA, JFB-RB and JFB-RC;~~

~~B. Understand that enrollment is subject to the capacity limit established for the school and/or its grade levels;~~

~~C. Generally agree to provide their own transportation. The District may provide transportation to open enrollment students provided that capacity remains available on existing routes and stops after first meeting the transportation needs of students who reside in the school's attendance area. In addition, the District may provide transportation for students attending schools without attendance areas.~~

~~D. Agree to abide by the District's Code of Student Conduct for Students and the individual school's rules;~~

~~E. Agree to regular and punctual attendance; and~~

~~F. Agree that excessive tardiness or absence and/or violations of the Code of Conduct or individual school rules will be cause for revocation of their open enrollment approval by the school principal.~~

~~*Provision of False Information:* Providing false information to the District regarding or for purposes of an application for open enrollment will be cause for application being denied or admission being revoked by the Superintendent or the school principal.~~

~~*Annual Review:* All approved open enrollment transfers are subject to review annually. This provision shall not be construed, however, to require all open enrollment transfer students to reapply annually.~~

~~Determinations of revocation of open enrollment status by the school principal may be appealed to the Superintendent.~~

### **~~Application and Approval Procedures~~**

~~The Superintendent shall develop procedures for the receipt, review and approval of applications for open enrollment which shall ensure timely response to parents after consideration of impacts of enrollment upon site and district-level resources.~~

### **~~Students Who Move~~**

~~Students who move from one Amphitheater school attendance area to another Amphitheater school attendance areas during a school year may complete that school year at their original school of enrollment without the need to apply for open enrollment, if the parent requests. For students in schools without open enrollment capacity, the student who moves must attend the school serving the attendance area of the new residence at the start of the next school year, or the student may seek open enrollment at a different school.~~

~~Students who move from the Amphitheater District into another school district may be permitted to complete the current semester without application for open enrollment, but must enroll in the new district at the beginning of the next semester or apply for open enrollment in the Amphitheater District as a non-resident student.~~

### **~~Budgetary Impact of Open Enrollment~~**

~~Application of this policy and corresponding administrative regulations is intended to accommodate open enrollment students within the staffing allocations of Amphitheater District. It is not intended to permit over-enrollment which requires additional expenditures for staffing.~~

### **~~Transportation~~**

~~Open enrollment students and their families are normally responsible for providing their own transportation to and from school, except for disabled students who individualized education plans specify that transportation is necessary for fulfillment of their plans. In that case, the transportation to be provided shall be limited to no more than twenty (20) miles each way to and from the school of open enrollment attendance, or to and from a pick-up point on a regular transportation route or for the total number of miles traveled each day to an adjacent district for non-resident students with disabilities. In addition, the District may also provide transportation to open enrollment students provided that capacity for doing so is available on existing routes and stops, after first meeting the transportation needs of students residing in a school's (or schools') attendance area(s). When there are more requests for open enrollment transportation than capacity exists, services shall be provided on a first-come, first-served basis, in the same order as the~~

~~student's open enrollment status was approved. Preference may be given to District residents and families previously approved to ride the bus.~~

~~Transportation services may also be provided to students who attend schools that do not have a defined attendance area.~~

### **~~Athletic Eligibility~~**

~~Athletic eligibility of transfer students is regulated by the Arizona Interscholastic Association. It is the student's and parent's responsibility to contact the appropriate high school principal for further information.~~

Adopted: February 6, 2018

### **Notification**

The District shall notify the emancipated pupil, parent, or legal guardian in writing by consistent with the requirements and deadlines established by the Superintendent whether the applicant has been accepted, placed on a waiting list pending the availability of capacity, or rejected. The District shall also notify the resident school district of an applicant's acceptance or placement on a waiting list. If the applicant is placed on a waiting list, the notification shall inform the emancipated pupil, parent, or legal guardian of the date when it will be determined whether there is capacity for additional enrollment in a school. If the pupil's application is rejected, the reason for the rejection shall be stated in the notification.

As provided by A.R.S. 15-816.07, the District and its employees are immune from civil liability for decisions relative to the acceptance or rejection of the enrollment of a nonresident student when the decisions are based on good faith application of this policy and the applicable statutory requirements and standards.

### **Transportation of Students Admitted**

#### **Through Open Enrollment**

A resident transfer student is eligible for District transportation on routes within the attendance boundaries of the school to which the student has been accepted for open enrollment transfer. It is the responsibility of the parents or guardians of the resident transfer student to have the student at a designated pickup point within the receiving school's transportation area.

Nonresident open enrollment students are eligible for District transportation from a designated pickup point on a bus route serving the attendance area of the school to which the student has been admitted, or as may be otherwise determined by the District.



The District *may* provide transportation for open enrollment nonresident students who meet the economic eligibility requirements established under the national school lunch and child nutrition acts for free or reduced price lunches:

A. of not more than thirty (30) miles to and from:

1. the school of attendance, or
2. a pickup point on a regular District transportation route, or
3. for the total miles traveled each day to an adjacent district.

The District *shall* provide transportation for nonresident transfer students with disabilities whose individualized education program (IEP) specifies that transportation is necessary for fulfillment of the program:

A. of not more than thirty (30) miles to and from:

1. the school of attendance, or
2. a pickup point on a regular District transportation route, or
3. for the total miles traveled each day to an adjacent district.

### **Exception**

Should there be excess capacity remaining for which no applications were submitted by the date established, the Superintendent, upon approval by the Board, shall authorize additional enrollment of nonresident pupils:

- A. Up to the determined capacity.
- B. On the basis of the order of the completed applications submitted after the notification date established in this policy.
- C. Without regard to enrollment preference.
- D. As long as admission standards are met.

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

[8-371-](#)

[15-341](#)

[15-764](#)

[15-797](#)

[15-816](#) *et seq.*

[15-823](#)

[15-824](#)

[15-825](#)

[15-841](#)

[15-922](#)

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,  
~~—as~~ [as](#) amended by the Every Student Succeeds Act (ESSA) of 2015

CROSS REF.:

[EEAA](#) - Walkers and Riders

[IIB](#) - Class Size

[JF](#) - Student Admissions

[JFAA](#) - Admission of Resident Students

[JFAB](#) - Admission of Nonresident Students

[JFABD](#) - Admission of Homeless Students

[JFABDA](#) - Admission of Students in Foster Care

~~[JFB-RA](#) - Open Enrollment (Criteria for Open Enrollment)~~

~~[JFB-RB](#) - Open Enrollment (Selection and Notification Procedures for Schools with Geographical Boundaries)~~

~~[JFB-RC](#) - Open Enrollment (Selection and Notification Procedures for Schools without Geographical Boundaries)~~

[JG](#) - Assignment of Students to Classes and Grade Levels